

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ERIC TODD BOYER : CIVIL ACTION
:
v. :
:
GEORGE W. HILL CORRECTIONAL : NO. 15-1091
FACILITY, et al. :

ORDER

FILED
APR 13 2015
MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

AND NOW, this 10th day of April, 2015, upon consideration of plaintiff's motion to proceed *in forma pauperis* and his *pro se* complaint, it is ORDERED that:

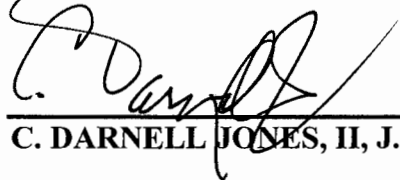
1. Leave to proceed *in forma pauperis* is GRANTED.
2. Plaintiff Eric Todd Boyer, #LG-8366, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by plaintiff, an initial partial filing fee of \$42.95 is assessed. The Superintendent or other appropriate official at the State Correctional Institution at Dallas or at any other prison at which plaintiff may be incarcerated is directed to deduct \$42.95 from plaintiff's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 15-1091. After the initial partial filing fee is collected and until the full filing fee is paid, the Superintendent or other appropriate official at the State Correctional Institution at Dallas or at any other prison at which plaintiff may be incarcerated, shall deduct from plaintiff's account, each time that plaintiff's inmate trust fund account exceeds \$10, an amount no greater than 20 percent of the money credited to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 15-1091.

3. The Clerk of Court is directed to send a copy of this order to the Superintendent of the State Correctional Institution at Dallas.

4. Plaintiff's federal claims are DISMISSED for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), and his state law claims are DISMISSED for lack of subject matter jurisdiction. Plaintiff's claims against the George W. Hill Correctional Facility are dismissed with prejudice. Plaintiff's remaining claims are dismissed without prejudice to amendment in accordance with paragraph five of this order.

5. Plaintiff is given leave to file an amended complaint within thirty (30) days of the date of this order. If plaintiff files an amended complaint, he shall name all defendants in the caption of the amended complaint in addition to the body of the amended complaint. Upon the filing of an amended complaint, the Clerk shall not make service until so ORDERED by the Court. If plaintiff fails to file an amended complaint in accordance with this order, his claims will be dismissed with prejudice without further notice.

BY THE COURT:



C. DARNELL JONES, II, J.